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# **Standing Committee on Justice and Human Rights**

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**EVIDENCE**

**Wednesday, July 9, 2014**

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**Chair**

**Mr. Mike Wallace**



## Standing Committee on Justice and Human Rights

Wednesday, July 9, 2014

• (1305)

[English]

**The Chair (Mr. Mike Wallace (Burlington, CPC)):** I'm going to call this meeting to order.

This is the Standing Committee on Justice and Human Rights. We're at meeting 39, and this meeting is being televised.

Our order of reference of Monday, June 16, 2014, is the examination of Bill C-36, An Act to amend the Criminal Code in response to the Supreme Court of Canada decision in Attorney General of Canada v. Bedford and to make consequential amendments to other Acts.

In this panel we have from Sextrade101, Mrs. Perrier, a co-founding member. We have Professor Atchinson—I think I can call you professor—from the department of sociology at the University of Victoria. And by video conference we have three people: Michelle Miller from Resist Exploitation, Embrace Dignity, from British Columbia; Ms. Lang, as an individual, also from British Columbia; and Madam Dussault, a member from Prostitutes Involved, Empowered, Cogent—Edmonton.

Each group gets approximately 10 minutes.

First to start is Madam Perrier.

The time is yours.

**Ms. Bridget Perrier (Co-Founding Member, Sextrade101):** *Aanii.* First I'd like to acknowledge my standing here on the unceded traditional territory of the Algonquin First Nation.

I represent Sextrade101 and the many first nations women and girls who are enslaved in prostitution or trafficked.

My name is *Wasayakwe*. My English name is Bridget Perrier. I was born in Thunder Bay, Ontario and placed up for adoption. I was adopted by a good family who tried to raise me the best way possible, but as I got older the effects of colonialism, intergenerational trauma, and child sexual abuse made me a perfect candidate for prostitution.

I was lured and debased into prostitution at the age of 12 from a child welfare-run group home. I remained enslaved for 10 years in prostitution. I was sold to men who felt privileged to steal my innocence and invade my body. I was paraded like cattle in front of men who were able to purchase me, and the acts that I did were something no little girl should ever have to endure here in Canada, the land of the free.

Because of the men, I cannot have a child normally, because of trauma towards my cervix. Also, still to this day I have nightmares, and sometimes I sleep with the lights on. My trauma is deep, and I sometimes feel as though I'm frozen—or even worse, I feel damaged and not worthy.

I was traded in legal establishments, street corners, and strip clubs. I even had a few trips across the Great Lakes servicing shipmen at the age of 13. The scariest thing that happened to me was being held captive for a period of 43 hours and raped and tortured repeatedly at 14 years of age by a sexual predator who preyed on exploited girls.

My exploiters made a lot of money and tried to break me, but I fought for my life. My first pimp was a woman who owned a legal brothel, where I was groomed to say that I was her daughter's friend, if the police ever asked. My second pimp was introduced to me when I was in Toronto. I had to prostitute for money. He was supposed to be a bodyguard, but that turned out to be one big lie.

Both are out there still, doing the same thing to more little girls somewhere here in Canada.

I was able to exit prostitution and rebuild my life, and with that my education became a tool. I was recognized for my tenacity and my strength and have been able now to be an asset to my community and to my people. I am a mother, activist, and warrior woman, and now my experience may be sacrificial at times, but I am doing it for Canada's first nations women and girls who are being bought sold and are disappearing or murdered.

We must look at who is doing this. It's the men.

I have a letter, because my 19-year-old daughter's mom was murdered by Robert Pickton, and she asked me to read this to you.

Dear Standing Committee,

My name is Angel Wolfe. My birth mom's name is Brenda Wolfe. My mom was murdered by Robert Pickton.

Her murder was one of the first six that he was charged with. I was six years old when she was murdered and nine years old when her jaw bone was found in a pig trough. I am one of the 98 orphans who were left behind because of that monster.

I do blame the Vancouver Police Department and the RCMP. I believe that Bill C-36 will save vulnerable women like my mom. I'm sickened that my mom's death has been used to legalize such indignity and sadness.

I'm also sickened by the term "the Pickton bill". It's insulting and a slap in the face to the 98 orphans, and the organizations and the pro-lobby movement should be really ashamed for speaking on behalf of the families who lost their loved ones.

I blame prostitution and addiction for my mother's death, and on behalf of the 98 orphans, we do not want our mothers' deaths to be the reason prostitution is legitimized.

● (1310)

I will make it my mission in life to carry her story and educate people about addictions, prostitution and the murdered and the missing.

Sincerely,  
Angel Wolfe

Bill C-36 will protect my daughters and the other young girls from predator johns who have the nerve to solicit in public. Just last week, my 15-year old niece was propositioned right outside my door.

If prostitution were such a healthy path, then why are the johns not telling their wives, girlfriends, and families that they use or have used sexual services from prostitutes?

Sextrade101 believes that prostitution is not a choice, but that it's lack of choice that keeps women and girls enslaved. We believe everyone should be shown a viable way out of the sex trade and not be encouraged to stay in it. We believe in helping people understand the full price of life in prostitution before they become involved and in helping women get out alive with their minds, bodies, and lives intact. We have been collectively afraid, raped, beaten, sold, discarded. Most of us were also children who were forgotten, neglected, abused, used, led astray, abandoned, and not protected.

Sextrade101 members and advocates are current and former prostituted women. We have a huge concern with the criminalization of prostituted women and girls. We have seen that diversion programs for prostituted women are not the only solution for everyone. There needs to be an understanding that supports must be there when exiting. Forcing support on women who are not ready to exit can set them up for failure.

Some 85% of Sextrade101 advocates and members have experienced pimp violence. This is pretty far from the picture painted by the Supreme Court of Canada, that pimps are nice guys. These pimps and johns are the problem. They're the ones who abuse and in some cases kill.

I supported my daughter throughout the missing women inquiry, and the outcome of it was this: our mothers, sisters, and daughters are not born to be used and sold for men's sexual needs. We are not commodities. Our women are sacred. They are valued and loved, and as life givers and nurturers, we are equal. Let's not forget equality in this bill.

I applaud Minister MacKay and MP Ms. Joy Smith in recognizing the inherent dangers and abuses for those who are prostituted. This is

a victory for survivors and those who are stuck in the vicious cycle of indignity and pain.

As a sex trade survivor, I thank you so much for giving me the honour of speaking on behalf of the survivors of Sextrade101 and all the survivors across Canada, whether they are still in or have exited.

*Chi-müigwetch.*

**Voices:** Hear, hear!

**The Chair:** I'm sorry, this is a place of work. We don't allow outbursts on either side of the issue.

Thank you, Ms. Perrier, for that presentation.

Now, as an individual we will hear from Professor Atchison.

The floor is yours for 10 minutes.

**Mr. Chris Atchison (Research Associate, Department of Sociology, University of Victoria, As an Individual):** Thank you.

Thank you for having me here today.

I would like to begin by stating that I am not here as an advocate for any individual group, organization, or moral position on the sex industry. I believe the sex industry is incredibly complex, and that in order to understand it and develop outreach programs and policy to address the very real issues faced by some people who are in it, we must listen to the people directly involved, and we must pay attention to the wealth of rigorous empirical evidence from Canada and internationally.

It is this empirical evidence that I wish to focus my presentation on today.

I would also like to be clear from the start that I study and do research with adults who are involved in the purchase of sexual services. I do not do research with or study individuals involved in trafficking or with individuals who are involved with child sexual exploitation. I will reserve my comments for the study of adult consensual sexual services today.

I have been researching adults who purchase sexual services, or clients, and working in a supportive capacity with sex worker researchers and outreach organizations since 1995. During this time, I have been a principal investigator on three major studies of clients, two of which are the largest and most comprehensive investigations of people who purchase sexual services ever conducted anywhere.

I have also been a co-investigator on three additional studies of health, safety of off-street sex industry, and provided research, consult, or advice on six other sex industry projects.

Today I want to draw upon the results of my almost 20 years of research on adults who purchase sexual services.

I would like to address some corporate propositions or provisions of Bill C-36, the protection of communities and exploited persons act, in the process.

I would like to begin by addressing the question of whether prostitution is inherently exploitative.

Certainly, as we have seen, there are particular individuals and situations that exhibit cruel and unjust exploitative behaviours and conditions. We cannot deny that. But my research indicates that these particular individuals and situations exist in a very complex relationship within the industry, that by and large they are a smaller portion of the industry—an insidious portion, but a smaller portion. They do not represent the majority.

My research indicates that many sex workers work independently and, by extension, the clients I have spoken to maintain that they always negotiate the exchange of services for money directly with sex workers. A small percentage negotiate services through a third party.

The majority of the clients that I have surveyed provide no indication that they ever threaten, force, coerce, deceive, or abuse a position of trust or power and authority over a sex worker. This claim is supported by the research that my colleagues and my sister project, the understanding sex work project, have done.

Having said this, it is incredibly important to acknowledge that a minority of clients I have spoken to directly, and surveyed over the past 20 years, clearly exhibit exploitative behaviours, attitudes, and beliefs. Some of these include pressuring sex workers into doing something sexually that they were not prepared to do, refusing to pay for services, insulting or putting down a sex worker, making threatening gestures, threatening to destroy sex workers' property, verbally threatening or assaulting and physically restraining a sex worker. These things do happen. These things must be stopped.

Again, I emphasize that this is a minority of individuals I have talked to, and I have talked to almost 3,000 individuals who have purchased sexual services over the past 18 years.

On a second point, the assumption that all relations that occur between sex workers and people who purchase sexual services are exploitative because the balance of power is asymmetrical favouring the client, this is not supported by the accounts of clients I've surveyed. Many of the participants in my most recent study indicated that they either felt the service provider they engaged with had more control or power, or that the control or power was relatively equally distributed. A small portion identified that they had more power. Again, these findings are supported by results from my sister project that looked directly at sex workers and spoke directly to sex workers.

•(1315)

On the question of violence in the sex industry, in all of my studies, I've sought to understand issues and instances of violence and victimization that take place when sexual services are being sold and purchased. I think that has to be the focus of a lot of research. We need to understand it, and I have tried to understand it for the past 18 years.

The results of my two most recent large-scale investigations, with large samples of clients, have produced consistent findings when it comes to the level of self-reported violence and aggression that they report committing against sex workers. The majority of interactions that clients have with sex workers are peaceful. Having said this, again it is important to point out that a small portion of clients report having committed violent offences, as defined by the Criminal Code, against sex workers. This portion of individuals who are involved in the purchase of sex are clearly a problem.

Non-violent forms of aggression—verbal assault, conflicts that emerge from misunderstandings, lack of communication, hurried communication—appear to be far more commonplace than violent ones. Again, an interesting finding that I've had over the years is that violence and victimization are not asymmetrical. Many of the clients I've spoke to over the years have also experienced violent and non-violent victimization themselves, either at the hands of a sex worker or at the hands of an industry, owner, manager, madam, or pimp.

My more sophisticated analyses of these findings around violence reveal that the actual occurrences of violence and victimization in the sex trade vary significantly across different contexts, specifically different venues where commercial sexual transactions take place.

The street-based portion of the sex industry seems to be a context that holds the most potential for violent interactions to occur, and where concerns around safety for both sex workers and clients are the greatest. Part of the dangers involved in the street-based industry are a result of the isolated nature of the locations they are forced to move to because of their constant fear of arrest, concerns about community safety, the absence of clear and commonly understood behavioural norms and regulations, and the increased likelihood that either the worker or the client will be under the influence of drugs and alcohol. These same patterns do not appear with the same regularity in off-street settings.

Criminalizing all buyers of sexual services will make it not only result in innocent people being marked for life with the label of criminal, but it will make it significantly more difficult to properly prevent and address actual acts of violence that do occur in the sex industry under these conditions. When it comes to wanting those who engage in prostitution to be encouraged to report acts of violence and victimization, we would all agree, I think. That's paramount. If one of the aims of the proposed legislation is to encourage this reporting, then we need to make sure we do not create laws that actually discourage it from happening. Research that I have done indicates the real potential and value of clients in detecting and reporting violence and other abuses that they witness.

I am puzzled as to why we would criminalize people who are frequently in the best position to report instances of violence and victimization that they witness. Moreover, if when purchasing sex a person is engaged in a criminal activity, we have found that they are much less likely to report, or less willing to report, instances of violence. That's a consistent finding throughout all of my research.

On the assertion that demand for prostitution needs to be curbed and attitudes and behaviours of sex buyers need to be changed, the belief that demand is solely responsible for the existence of the sex industry ignores the fact that in many cases supply produces demand. It's hypocritical and discriminatory, in a society where sex and sexuality are used liberally to sell all sorts of goods and services, to criminalize the purchase of direct contact sexual services, while at the same time sanctioning the sale of such services. It's highly unlikely that such a discriminatory law would stand up to the inevitable and costly challenges under subsection 15(1) of the Charter of Rights and Freedoms.

Yet another assumption underlying the bill appears to be that demand can be curbed and attitudes and behaviours can be changed simply by criminalizing the purchase of sexual services, arresting and incarcerating and fining the people who engage in such behaviour. The results of my research indicate that such approaches simply result in displacing the behaviour to hidden and potentially more dangerous locales. Furthermore, labelling as criminal people who pay for sexual services, while at the same time legalizing the actions of people who sell such services, will create a situation that some have referred to as "the perfect crime". People purchasing sexual services become the legitimate targets of robbery, fraud, theft, blackmail, and assault, something that we have seen sex workers experience for the past 30 years.

• (1320)

Finally, the issue of advertising is a very important one. This bill proposes that advertising and communications be criminalized. The findings from my research reveal that open and unrestricted exchange of information between sex workers and clients has significant implications for clients and subsequent interactions they have with sex workers. Under the proposed law, I find it hard to see how conflicts over misunderstandings or disagreements about terms of service, which are the things that result in violent and non-violent victimization, would be curbed in any way, shape, or form. Nor do I feel that under this proposed legislation we would be able to access them.

The proposal also has potentially negative implications for outreach, support services, as well as social and health research. With access to spaces where open and honest communication between sex workers and buyers is cut off, our ability to identify unsafe situations or conditions is compromised, and our ability to reach out to people is severely limited.

I'd just like to conclude by saying I believe a way forward is to take a strong look at this bill. I believe that we need to reassess the sections that criminalize the purchase of services and the advertisements. I believe that we should treat the sex industry as any other industry and regulate it through existing protocol. I recommend, as others have internationally, that regulatory harm reduction and health promotion policies be developed and implemented on the basis of the direct and active contribution of people who are actually involved in the sex industry, as well as drawing upon empirical evidence provided by the growing body of ethically and methodologically sound Canadian research that's been done in this area. I propose that the money that would have been used to detect and prosecute clients as a class be used to fund combatting the real

violence and victimization in targeting the clients who do commit acts of violence and victimization.

• (1325)

**The Chair:** Thank you very much for your presentation.

We're now going to the video conference, and our first individual is from REED, Michelle Miller.

The floor is yours for 10 minutes, Ms. Miller.

**Ms. Michelle Miller (Executive Director, Resist Exploitation, Embrace Dignity (REED)):** Good afternoon.

I'm here representing REED, Resist Exploitation, Embrace Dignity, a faith-rooted women's equality-seeking organization that offers support to women in prostitution, provides public education, and addresses the root causes of sexual exploitation.

Over the last nine years we have worked with women who have been trafficked into the prostitution market in Vancouver from countries such as China, Mexico, Indonesia, Peru, and others. We have also supported Canadian women prostituting indoors and outdoors and those in both high-track and low-track prostitution.

It is from the perspective of a front-line anti-violence worker that I am speaking this afternoon.

Bill C-36 is a progressive, historic piece of legislation that finally dares to criminalize the source of harm in prostitution, the johns, and largely decriminalizes those being exploited.

The bill contains many assertions to be applauded. The preamble to the bill clearly affirms the inherent violence of prostitution, the social harm caused by the commodification of women's bodies, the disproportionate impact of prostitution on women and girls, and the fact that the demand for paid sex fuels the prostitution market.

Buyers will face criminal sanctions, the financial benefit from the prostitution of others is illegal, and you have pledged funds to help women exit prostitution. We affirm the steps you have taken to frame prostitution as a form of violence against women, and are encouraged that you do not accept prostitution as inevitable. Bravo.

At the same time we are concerned that section 213 of the Criminal Code, which allows for the continued criminalization of women selling sex, undercuts the intent of the bill. While selling sex is otherwise decriminalized throughout Bill C-36, it is considered illegal if the solicitation happens anywhere in public near where one can reasonably expect to find persons under 18.

We at REED are concerned that section 213 allows broad loopholes through which prostituted women can be criminalized and subject to further vulnerabilities, undercutting the stated intent of the bill.

We are in support of Bill C-36, but recommend that section 213 be removed.

I want to talk just a little bit about why we affirm the bill, and then I want to talk about why we're concerned about section 213.

First, why we support asymmetrical criminalization. Prostitution is a form of violence against women. Women should not be penalized for their own exploitation; rather, those perpetrating and benefiting from it should be criminalized. Prostitution is the sexualized subordination of women and hinders women's equality.

In crass economic terms, the sex industry operates as a market based on supply and demand. There is a demand for paid sex and exploiting the vulnerability of women and girls creates the supply for this market. Women and girls suffering from racial discrimination, the effects of residential schools and colonization, poverty, sexual assault as children, and other, and developmental issues such as fetal alcohol syndrome, are coerced into being sold to men for sex.

Pimps are shrewd businessmen. Make no mistake, they know exactly who to target and how to approach them. From what we know from supporting women at REED, and from studies done as well, the overwhelming majority of women are recruited into prostitution at below the age of 18. We see it all the time. Most often their entry into prostitution was preceded by repeated trauma.

According to research by Susan Nadon and others in the *Journal of Interpersonal Violence* and other academic studies, and the first-hand accounts of women, the majority of prostituted women report a history of childhood sexual abuse. As feminist writer, Andrea Dworkin, has said that “incest is boot camp” for prostitution. Childhood sexual abuse damages a child's sense of self, normalizes forced sexual contact, and teaches them that their bodies do not belong to them, thus reducing their threshold to seeing themselves as sellable.

Whether it's high track or low track, in a brothel or on the street, or perhaps in pornography that someone might view from the privacy of their own home, women in prostitution are seen as body parts. Their feelings and person do not matter.

•(1330)

The essence of Bill C-36 goes a long way to recovering the humanity and dignity of women, and of men. Frankly, I think the humanity and dignity of men is diminished when society condones their behaviour by not holding them accountable for violence against women. We need to expect more for men and more from men. I invite you to join me in this.

REED works throughout metro Vancouver, but certainly in the downtown east side it is not uncommon to see men in minivans on their way to work at 8 o'clock in the morning, sometimes with a child's car seat in the back, cruising the alleyways on the way to work, looking for a quick \$5-to-\$10 blow job from a severely sick and addicted woman. The power differential is horrific, but the sense of inequality and male entitlement is the paradigm of prostitution, even though it doesn't always present itself in such stark visible contrasts as this interaction does.

Research has focused a great deal on women in prostitution, who they are, what happens to them, and how they might recover from the trauma. All of these are critical questions.

But who are the men buying the bodies of women to have sex in or on, and what do we know about them, particularly their attitudes toward women? How do they feel about women? We have two decent sources of information: the handful of academic studies done on men who buy sex, but also what they themselves report on prostitution review forums online—direct first-hand data. For those of you who don't know, these are online forums where men discuss and review the women they have bought in prostitution.

Unfortunately, I am unable to tell you in this professional setting what most of them say, as it is degrading and violent, which is telling in itself. However, I will share with you one snippet that I read on a forum yesterday. Don't worry; it's okay to say on TV. One man gave a consumer report of a woman by saying this: “You can make her your sex toy or whatever you want, if you can crack her”.

Roughly 99% of research in the field has been done on prostitutes, and 1% has been done on johns, yet buying sex is so pervasive. In a rigorous empirical study done in Boston, in 2011, the research team reported that they had a shockingly difficult time locating men who really didn't buy women. The use of pornography, phone sex, lap dances and other services has become so widespread that the researchers were forced to loosen their definition in order to get a control group of a hundred people. They finally had to settle on the definition of non-sex buyers as the following: “men who have not been to a strip club more than two times in the past year, have not purchased a lap dance, have not used pornography more than one time in the last month, and have not purchased phone sex or prostituted women”.

What did they find out? Sex buyers were nearly eight times as likely as non-sex buyers to say they would rape a woman if they could get away with it.

This is also echoed in a solid 2009 study published by Eaves, in London, who found that the more accepting sex buyers were of prostitution, the more likely they were to also accept cultural myths about rape, such as, “women say no but they really mean yes”, and “a woman who dresses provocatively is being asked to be raped”.

Sex buyers, in the Boston study, used significantly more pornography than non-sex buyers, and three-quarters of them said they received their sex education from pornography. Over time, as a result of their prostitution use, sex buyers reported that their sexual preferences changed and they sought more sado-masochistic and degrading acts.

Sex buyers often prefer the licence that they feel they have with prostituted women. I quote: “You are the boss—the total boss”, said one john. “Even us normal guys, we want to say something and have it done, no questions asked. No, I don't feel like it. No, I'm tired. Unquestionable obedience. I mean, that's powerful. Power is like a drug.”

• (1335)

Sex buyers repeatedly commented that they liked the power relationship in prostitution. One of the women who we have supported at REED was told by her pimp to act like she spoke less English than she did so she would increase the power differential in the act, and that men wanted to buy women who were more vulnerable.

They're seldom lonely, and the majority are married or in a committed relationship. Many johns view their payment as giving them unfettered permission to degrade and assault women. One reported, “You can find a ho for any type of need—slapping, choking, aggressive sex—beyond what your girlfriend will do.” This is direct data from the johns themselves.

**The Chair:** You need to wrap up, Ms. Miller, your time is up.

**Ms. Michelle Miller:** Okay.

Prostitution is a form of violence against women and women should not be penalized for their own exploitation. Rather, those perpetrating and benefiting from it should be criminalized.

Just briefly, we're concerned about the loophole in Bill C-36 that the new section 213, where women can be criminalized. We found that involvement in the criminal justice system is a really significant barrier for women exiting prostitution and for seeking help. It stigmatizes them and, more importantly, it acts as a barrier to their finding employment, and it disrupts their lives and their families' lives, including those of their children. Here I'll refer to Peter MacKay's hierarchy of vulnerability, that children are more vulnerable than prostituted women.

In summary, Bill C-36 is a progressive, historic piece of legislation that finally dares to criminalize the source of harm in prostitution—the johns—and decriminalizes those being exploited. We're in support of Bill C-36, but recommend that the new section 213 be removed from the bill.

Thank you.

**The Chair:** Thank you very much for that presentation.

Our next presenter, as an individual, is Ms. Lang.

**Ms. Georgiale Lang (As an Individual):** Thank you.

My name is Georgiale Lang. I'm a lawyer in Vancouver. I was one of the many lawyers that were in the Supreme Court of Canada in June of 2013 arguing in the case of Attorney General v. Bedford, the prostitution case.

I was one of the lone voices that sought to urge the Supreme Court of Canada not to strike down the law, not to legalize prostitution, and my reasons are as follows.

Respect for human dignity is one of the underlying principles upon which Canadian society is based. We know the following from the Rodriguez decision of the Supreme Court of Canada:

That respect for human dignity is one of the underlying principles upon which our society is based is unquestioned.

Further, our Canadian government, in 1949, signed on to the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. One of the key principles that we signed onto was this:

Whereas prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community

Prostitution is simply a practice that arises from the historical subordination of women and the historical right of men to buy and exchange women as objects for sexual use. This practice is a disgraceful assault on human dignity. But prostitution not only harms the women and the girls involved, it also entirely undermines the social fabric of Canada. It affects more than those who practise or purchase services. It affects those who are prostituted against their will, it supports a network of interconnected criminal activity, and it forms societal attitudes that devalue an entire category of Canadians.

Now we ought to be proud because our Canadian history underscores Canada's rejection of exploitive behaviour from the decision to compensate the aboriginal victims of residential schools to our denunciation of human trafficking and child prostitution, but to legalize prostitution is to reverse the trajectory that promotes the equality of all persons and embraces the inherent dignity of each person.

Perhaps the best example that the harms inherent in prostitution are not alleviated by legalization is the research from the State of Victoria in Australia, where prostitution was legalized in the 1980s. The research results of Dr. Sheila Jeffreys and Dr. Mary Sullivan, both from the University of Melbourne, and Dr. Janice Raymond, indicates the following.

First of all, the object of legalizing prostitution was harm minimization. Of course, that parallels what the court said in Attorney General v. Bedford. There were safety issues at stake.



It was said in Australia that the legalization of prostitution would assist in eradicating the criminal element, guard against unregulated expansion of prostitution, and combat violence against prostitutes. The reality is that legalization did not eliminate violence; it did not stop street prostitution; it did not provide or produce a safer work environment for women; it did not dignify and professionalize the women in prostitution; and it did not contain the expansion of prostitution. What actually occurred was that legalization in Australia led to a massive expansion of prostitution. Ironically, the growth was mainly in the illegal sector. So while Australia, in the State of Victoria, legalized prostitution, it was the illegal sector that started to grow beyond their expectations, and particularly unlicensed brothels. Once they made brothels legal, a great many people just opened unlicensed brothels.

Legalization of prostitution also did not empower individual prostitutes. The notion was that they would be able to work together as entrepreneurs in legal brothels or set up in their own homes. What happened was that large operators, that is businessmen, dominated the brothel industry. Individuals or small groups of women could not compete at all.

Street prostitution did not disappear, simply because women who work outside have a host of social problems, including homelessness, drug addiction, being underaged, or are not willing to register with brothels or to register with the government.

● (1340)

The legislation that was intended to eliminate organized crime instead brought with it an explosion of human trafficking. Run by international crime syndicates, licensed brothels in the state of Victoria in Australia acted as warehouses for trafficked women.

That is why I say that Bill C-36 is a step in the right direction. It is a step that recognizes that prostitution is the exploitation of women and that it is time for Canadians and our government to step in and do something about it. I applaud the Canadian government for the steps they are taking and for this bill.

I want to address the constitutionality of this new law. There are many who have said that this law won't pass muster, that it will not survive constitutional scrutiny, and that it's simply a waste of money to put this law into effect. I disagree with all of these theories.

When the court in *Attorney General v. Bedford* looked at the prostitution laws, prostitution was not illegal. You have to understand that they were looking at laws that curtailed certain activities that surrounded prostitution, laws that were nuisance laws. They weren't laws that made prostitution illegal.

What the court did in *Attorney General v. Bedford* was to determine that running a common bawdy house, which of course under our old laws was meant to prevent neighbourhood disruption and disorder... They found that denying prostitutes the safety associated with working in a permanent indoor location was grossly disproportionate to neighbourhood disruption, which is what the law curtailed.

In general, the former prostitution laws were designed to combat the public nuisance aspects of the sex trade. It's much too trivial an objective to justify violating prostitutes' charter rights.

The preamble to Bill C-36 sets much broader goals—nothing less than fighting “the exploitation that is inherent in prostitution” and protecting “human dignity and the equality of all Canadians”. No longer is the goal to prevent neighbourhood disorder, or disruption, or nuisance. We have a much broader goal.

Not only does the preamble of our new bill assert that Parliament seeks to denounce and prohibit exploitation and inequality, but it also sets out the aim of encouraging “those who engage in prostitution to report incidents of violence and to leave prostitution”.

Madam Justice McLachlin, in the *Attorney General v. Bedford* case, said this. In striking down the laws, the nuisance laws, the court made it clear in its decision the following:

That does not mean that Parliament is precluded from imposing limits on where and how prostitution may be conducted.

That's what Bill C-36 does. Bill C-36 speaks to the concept that the exploitation is a terrible assault on women and children and some boys and men. It cannot continue. This bill, I say, deals with the constitutional aspects. It provides limitations on where and how. In my submission, and in my respectful opinion, this bill will pass constitutional muster particularly with the new preamble.

Thank you for inviting me to speak.

● (1345)

**The Chair:** Thank you, Ms. Lang, for your presentation.

Our final presenter, by video conference, is Ms. Dussault from PIECE.

The floor is yours, Madame.

**Ms. Elizabeth Dussault (Member, Prostitutes Involved, Empowered, Cogent - Edmonton):** Thank you, Chairman, and members of Parliament, for this fantastic opportunity.

I would like to take a brief moment to point out that I have not heard MP Joy Smith ask sex workers questions regarding the comments they have shared here. I would like to extend MP Smith an invitation to ask me anything she likes, and I will answer honestly.

I would like to state that it is an honour to speak to this committee. My name is Elizabeth Dussault, and I'm 30 years old. I would like to give you a little bit of my background to aid in understanding my points of view. I have been a sex worker for the past four and a half years. I started working in Australia in the sex industry, and when I came back to Canada I continued to work on and off. While in Australia and in Canada, I have worked for an escort company as an independent escort, and worked in several brothels. I have been advocating for improved and progressive laws and better working conditions for the sex industry for two years now. I have written a document for Edmonton's bylaw enforcement services, been in the *Metro News* newspaper, the *Edmonton Journal*, and on Citytv's *Breakfast Television Edmonton*.

Then Prostitutes Involved, Empowered, Cogent—Edmonton, also known as PIECE, found me and gave me a home with their amazing group of women. As a brief aside, the median age of entry into sex work among the PIECE group is 26.5 years of age. We are fighting to speak for all prostitutes because so many of these women are fearful to speak due to what happens to them when they do. Let me tell you what happened to me.

I personally have lost my two jobs at brothels, as well as being fired from my lifeguarding and swimming teacher position, for being an advocate. PIECE knows that Bill C-36 will send sex workers further into the shadows, leaving them prey to abuse, rape, and serial killers such as Pickton and others. I offer you another path. I have seen full legalization and ensuing regulations that leave sex workers safe, empowered, and treated as any human being in any job. I have partaken in a society that is progressive, where the clients are respectful and educated, the general society is accepting and enlightened, and where sex workers are upstanding citizens who contribute to their society.

Bill C-36 will not do this in the slightest. What will come if this bill passes will be disastrous and dangerous, unleashing further opportunities for fear, abuse, neglect, increased exploitation, and of course more deaths. My understanding of the Supreme Court's decision was that the current laws are not constitutional. Accepting this to be true, Bill C-36 is the rewriting of old stricken laws using similar, but different, terminology. However, buying it, advertising it, having a safe haven for workers, and criminalizing anyone who might be involved in protecting them equates to making the entire business of selling sex for money virtually illegal. This is in no way a solution to prostitution.

It is a very ancient profession and is not going anywhere. Canada will never be rid of it. Opting to stay in the dark ages and pushing sex workers into unsafe environments such as not having brothels where there is safety in numbers, not allowing them to be near one another on the streets, will effectively result in harm and death. In no other controversial job does the government remove workers' rights, make their jobs more unsafe, and turn a blind eye. Quite the contrary happens.

For example, liquor, gaming, guns, oil, and diamond mining are widely debated and fought against by religious groups, extremists, and other organizations. However, the government responded in kind with legalizing, regulating, and doing everything in its power to protect the general population from the detriment that can occur if these industries run amok. Canada created establishments and made zoning rules for these industries, devised and enforced rules to keep the public and the workers safe, and then taxed and benefited from these industries. This creates jobs, helps the economy, and establishes safety for all Canadians. This is what sex workers deserve in accordance with the Charter of Rights and Freedoms.

Currently, sex workers are ostracized, neglected, and misunderstood by the government and the public. Workers are scared and fearful, even of the police who are supposed to serve and protect them. Bill C-36 will exacerbate these concerns. To me, coming from Australia to Canada and seeing the differences, the current laws here are appalling. To know that it could get even worse makes me sick to my stomach. I fear for every sex worker across Canada. I fear for every sex worker across Canada.

● (1350)

Since my media coverage I have been struggling to find a job in the sex industry and in respectable society. The sex industry fears hiring me because they will be arrested for their association with me. I am alienated from respectable society because I am a sex worker. I am ostracized from both sides. I said loud and proud that I choose to be a sex worker, that it exists, and that we are humans.

I have a clean criminal record. I am addiction free. I was an honour student who took all AP classes. I was also hand-picked as the only representative of my 2,000 person high school to go to Ottawa for a conference. I am an upstanding citizen who went to Grant MacEwan University majoring in political science and was selected to go to Ottawa to participate in a mock United Nations debate for a week.

I have travelled the world alone, worked for Environment Canada, Alberta Health, Telus, the University of Alberta, Grant MacEwan University, and the YMCA. I sit here now before you as a Canadian citizen, as a sex worker, and as a human imploring you to see reason and not allow this bill to go through. It will bring about chaos and death that our country does not have to endure.

Australian brothels and escort companies are run as legitimate businesses. They advertise, have open and honest discussions with their customers about services, and are zoned in specific areas away from schools and religious institutions.

I never saw a worker on the streets, as they are safe working as escorts or protected in studios. In Australia I could be open about my work and people would respond with kindness, respect, and general understanding of what I do, even if they disagreed with my choice. I have personally never met anybody who was human trafficked or underage in the industry.

I had an Australian working holiday visa, and immigration came in and checked up on me. They saw I was there by choice, had a visa, was capable of working and wished me good day.

I always felt safe and protected. I worked in a healthy, happy environment where we worked as a team and they educated me. I was even given a little red book that includes information on health issues, testing locations, consulates, and important phone numbers such as the police. It was in six different languages.

I had opportunities to get out of the industry if I wanted. I was never forced to do anything against my will. In fact I was supported to listen to my gut, be safe, and encouraged to have a healthy self-esteem and see myself as a productive member of society.

I arrived back in Canada and what I found was detestable. I expected Australia, New Zealand, and Canada to be fairly similar. What I found was disgraceful: the fear of the police, the segregation of sex workers from society, the laws implementing no drivers or security, the illegality of brothels, and the deprivation of open and honest communication.

Bill C-36 might be acceptable in Russia. However, let us be leaders along with New Zealand and Australia in a uniquely Canadian manner.

I am here today to plead with the government to do some more research, look to progressive countries, listen to people such as myself who choose to be in this industry and enjoy their work, and to look at human rights laws and give sex workers the respect they deserve.

I have seen how it can be. I have experienced an incredible model for Canada to emulate. As an educated, enlightened, and experienced young woman who at the age of 26 chose to enter into the sex industry, I appeal to your humanity. I beseech you to not move forward with Bill C-36.

I will leave you with this quote from Madam Justice McLachlin:

A law that prevents street prostitutes from resorting to safe havens...while a suspected serial killer prowls the streets, is a law that has lost sight of its purpose.

Thank you, again, Mr. Chair, and members of Parliament.

• (1355)

**The Chair:** Thank you for that presentation, Ms. Dussault.

We are now off to the question and answer period of our meeting.

Our first questioner for the New Democratic Party is Madam Boivin.

[Translation]

**Ms. Françoise Boivin (Gatineau, NDP):** Thank you all for being with us today and for sharing your experiences and points of view. It helps us do our work.

Chief Justice McLachlin's ears must be ringing right now because just about everyone is quoting her, even though not all for the same reasons or with the same view.

My first question is for Ms. Lang.

[English]

You said that you were one of the lonely voices that was asking the Supreme Court of Canada not to strike down the law. Obviously they didn't listen to you, and I say that in a nice way, having lost a few cases here and there myself.

But what I'm wondering, though, from having read the Bedford decision, is whether you were surprised not to see more about section 15, because I'm pretty sure you must have pleaded section 15 at length in the Bedford case.

**Ms. Georgiale Lang:** No, I wasn't surprised that there was not more discussion of section 15.

Our submissions, of course, focused on the fact that the law was a reasonable limitation in accordance with the charter. Of course, that was not found to be accurate. The court said that it wasn't a

reasonable limitation, and I understand that very clearly because the law was a nuisance law. As Madam Justice McLachlin said in the decision, prostitution is not illegal. This is a nuisance law, this is all out of proportion to the safety issues, and so I think that was—

**Ms. Françoise Boivin:** Are you telling us today then that prostitution is now illegal in Canada with Bill C-36 if it is adopted?

**Ms. Georgiale Lang:** Prostitution is illegal. Yes, it is, it will be.

It will be illegal for men to purchase sex. That's correct.

• (1400)

**Ms. Françoise Boivin:** No, but prostitution is more than just the buying.

So are you saying that you see Bill C-36 as clearly making prostitution illegal in all its aspects in Canada after the adoption of Bill C-36?

**Ms. Georgiale Lang:** Not in all of its aspects, of course, because we know from Bill C-36 that women will only be criminalized if they are selling sex in the vicinity of children, but they are welcome to sell sex in brothels, in private homes. They are welcome to sell sex anywhere there aren't children under 18, and of course—

**Ms. Françoise Boivin:** So in that inference, then, would you see Justice McLachlin at a later date in the not-too-distant future saying again that prostitution is not illegal in Canada? As well, going back to what was probably the main phrase she voiced in her decision, which you quoted—sadly, not in its entirety because when you said that—

[Translation]

... the Charter does not mean that Parliament is precluded from imposing limits on where and how prostitution. . .

[English]

—which is what the legislator is trying to do with Bill C-36, you just didn't mention—

[Translation]

... as long as it does so in a way that does not infringe the constitutional rights of prostitutes.

[English]

So my question for you is, in that part of that decision, if the Supreme Court of Canada had to review Bill C-36, is it your understanding that what has been put in Bill C-36 by the Minister of Justice and his team is okay with that part of the decision of the Supreme Court of Canada?

**Ms. Georgiale Lang:** Yes, I say it is and let me tell you why, because the old law was a nuisance law. Prostitution was not illegal, only the activities surrounding prostitution, and they were all caught in that section of the Criminal Code that deals with nuisance and disorder.

**Ms. Françoise Boivin:** So it's the preamble that makes you say... Just to be clear for me, because you keep saying that it was a nuisance law, what makes you say that it is not half and half now, like part nuisance law—because of the public aspect of it when they do it in public—and the other part where they criminalize the client?

Because if it's based on the preamble, for me the preamble will be useful for the courts. If the disposition is not clear, then they'll go to the interpretation. If they don't have to go to the interpretation, they'll look at the section, at the clause inside the Criminal Code, and that's it. The preamble will not be included in the Criminal Code.

**Ms. Georgiale Lang:** I'm sorry, but I beg to differ. The preamble is a complete paradigm shift. We move from nuisance law to law that clearly says that it's the decision of Parliament that women and girls are being exploited in prostitution, and furthermore, the government is saying that we need to find a way for these women to exit the sex trade. That is a completely new paradigm from what you had when you had the arguments in Attorney General v. Bedford and there are

**Ms. Françoise Boivin:** But that's not in the Criminal Code. That won't be in the Criminal Code.

Even when you look at the title of the law, which says, “protection of communities and exploited persons act”, it's now a beast with two heads, let's say, instead of just one, like you said, as a nuisance—

**Ms. Georgiale Lang:** That's another strong benefit of this law, that it actually recognizes that societal fabric. The people who don't want to have prostitutes around children can now feel protected because Bill C-36 prevents that.

**Ms. Françoise Boivin:** On the fact that it still criminalizes women—and we've talked about women—I received some e-mails during lunch saying that there are male prostitutes also.

You consider them victims also, I'm sure.

**Ms. Georgiale Lang:** Absolutely.

**Ms. Françoise Boivin:** Okay.

And on the fact that we criminalize them with Bill C-36, I'm not sure, but I think I heard you say that you were not for that part of the bill. Do you think we have to remove this from Bill C-36, or will you live with it: “you're a victim, but you'll be criminalized anyway”?

**Ms. Georgiale Lang:** It was my colleague Ms. Miller, on behalf of her organization, REED, who suggested that be eliminated. I'm not suggesting that.

• (1405)

**Ms. Françoise Boivin:** You're okay with the fact that if they are victims they could be criminalized anyway.

**Ms. Georgiale Lang:** What I'm okay with is that prostitution shouldn't take place where there are children. I'm okay with that, and I think that will pass constitutional muster as well.

**Ms. Françoise Boivin:** As a lawyer, do you think the section is clear enough, for instance, what is public, where kids could be....

How would you define it?

**Ms. Georgiale Lang:** Well, I agree with you that it could be clarified. That could be an amendment that is undertaken by your

committee, to make it very clear so there are no misunderstandings —

**Ms. Françoise Boivin:** Do you have suggestions? You're brilliant, so I would love to have suggestions.

**Ms. Georgiale Lang:** I haven't given any thought to that aspect of the law because I'm in favour of the entire law.

However, I could certainly e-mail you and give you some suggestions. I'd be happy to do that.

**The Chair:** Thank you very much for those questions and answers.

Our next questioner, from the Conservative Party, is Ms. Ambler.

**Mrs. Stella Ambler (Mississauga South, CPC):** Thank you, Mr. Chair.

Thank you to all for being here today. We really do appreciate your contribution to our committee.

Ms. Perrier, I'd like to give you some extra thanks and gratitude for being here today. I know it must be very difficult to tell us your story, but it really does help us, and I think it helps Canadians who are watching to understand why we need to do this.

If you're okay with it, I'd like you to help me understand something. This is our third day here. I know you've been here listening, so I'd like your perspective on a particular issue related to negotiating or screening. I'd like to ask if you agree with some of the testimony we have heard from people. I'm not sure that they themselves have actually ever done this. Some have, and some say that Bill C-36 will make it more difficult for those involved in prostitution to negotiate a better deal, and it will make them somehow less safe.

I'm wondering if you think that will happen with this bill. If you have had any experience with that, perhaps you could let us know that as well.

**Ms. Bridget Perrier:** For me, I think prostitution is inherently dangerous. There is no form of screening that would tell you if the guy is going to kill you. To even communicate with the johns is very tricky; that is why we call them “tricks”.

I was involved in prostitution as a child and as an adult. The same acts were put on me at 12 years old and at 22 years old. These guys are very savvy. You have to gauge them. If they are angry at you or if they feel you have ripped them off...it's all about gauging them and that.

I've had clients, past johns, that have contacted me now that I'm out in public, speaking about it, and they have asked me if I am going to write a book and to please don't. So if it were so honourable, why are they asking me not to write a book? Well, I am going to write a book, and I'm going to use their names and I'm going to use the make of car. I'm going to talk about what they look like, and go right into depth, because I think the wives need to know too. Why protect these guys? I have years of wear and tear on my body. As the mother of a son and a sister of brothers, this is something I wouldn't want my brothers doing, or my son.

I've never met a nice john. I've met a john that was able to give me money for this and that and that, but I've never met a nice john. They all had an ulterior motive and the motive was sex with me.

**Mrs. Stella Ambler:** Thank you.

So, your clients weren't all respectful and educated?

• (1410)

**Ms. Bridget Perrier:** Actually, as a child, one of my clients was a crown attorney in Thunder Bay, and he paid for me and was caught with me, and I got put on trial. I grew up being shamed in my own community for what a grown man who was put in a place of power did. I got rejected from where I grew up and was raised because of this crown attorney that did this with young girls. That was his thing—little girls. He would get an older girl to bring us little girls to him. The older girl was a 30-year-old madam.

**Mrs. Stella Ambler:** I know that your time as a trafficked person and being kidnapped was partly as an underage girl and partly as a woman over 18. Would you say that it was all of a sudden magically possible for you at the age of 18 or 19 to make better deals and negotiate better terms, to screen your clients better? Would you say that it improved a lot when you turned 18?

**Ms. Bridget Perrier:** To be really truthful, I made a lot more money as a child than I did as an adult. They paid me a lot more when they knew I was 12 years old. As an adult woman I felt that I had control, but I didn't have control because when I stepped back from prostitution to be a mom, I realized in my own marriage and everything it was all like a façade; it seeped through. It was like this elephant in the room.

**Mrs. Stella Ambler:** You've been here this whole time. When you hear other witnesses talk about consent and choice and choosing this life—what is going through your mind, if you don't mind my asking?

**Ms. Bridget Perrier:** I don't think little girls aspire to service multitudes of different men as adults. I think lack of choice consists of choice. When women involved in prostitution say that this is their choice, they are feeling somewhat in need to control and hold some kind of control to it. That's why they say they choose it. If you had asked me when I was 22 if I chose to be in the life, I would have said yes, I was there of my own free will. But I didn't realize that prostitution chose me.

**Mrs. Stella Ambler:** If I could close with you, I also would like to thank you for being a mother to Angel and taking over where her mother left off after she was murdered. Also, congratulations on the adoption of your little boy.

**Ms. Bridget Perrier:** Thank you.

• (1415)

**Mrs. Stella Ambler:** I have a question for Mr. Atchison. I know it is hard for you to be here too because there are other viewpoints expressed, and I do appreciate you have done a lot of research and spoken to thousands of women who are in prostitution as adults and who've made that their choice. I know those are the only ones you work with, so you don't work with folks like Bridget and you don't work with any underage trafficked girls and women.

But what percentage do you think you're working with? What percentage are you dealing with who are happy with their line of work as opposed to those who are trapped and have no choice?

**Mr. Chris Atchison:** I'd like to start by saying it's actually delightful to be here because these types of dialogues need to happen. They need to happen more frequently and they need to happen more publicly, because it is with this exchange of knowledge and experiences that we will actually arrive at a better understanding of things.

In terms of the percentages of sex workers working in the industry, I can't comment directly on that. My colleagues from my sister project can comment more directly on the percentage who are underage.

In our most recent project, we focused exclusively on adult consensual sexual service exchanges, so none of the individuals we talked to would have been under 18, and very few of those individuals started in the industry prior to 18.

Speaking to the issue of the demand for those people under 18, that's one thing I can speak to. I asked people in my surveys time and time and time again what age ranges they prefer. Fewer than one percent of clients I have spoken to indicate a preference for somebody under the age of 18. In fact, there is a correlate—

**Mrs. Stella Ambler:** Do you really think they are going to tell you?

**Mr. Chris Atchison:** Sure they will.

**The Chair:** Okay, that's your time. Thank you, Ms. Ambler. Thank you for those questions.

We're now on to the Liberal Party, and, Mr. Casey, it's your time.

**Mr. Sean Casey (Charlottetown, Lib.):** Thank you, Mr. Chair.

Ms. Lang, I want to ask you about your representation at the Supreme Court of Canada. I understand your client was the Evangelical Fellowship of Canada. Is that right?

**Ms. Georgiale Lang:** That's correct.

**Mr. Sean Casey:** Is that your only client? Do you work for them, or do you work in a firm?

**Ms. Georgiale Lang:** No, I have my own law firm. I don't work for them. I was retained as counsel for them.

**Mr. Sean Casey:** Thank you.

The Evangelical Fellowship of Canada actually appeared before us on Monday afternoon. Their witness was Julia Beazley. Did you see her testimony?

**Ms. Georgiale Lang:** I'm sorry, I didn't. I wish I had.

**Mr. Sean Casey:** One of the things that she expressed concern about was section 213. She was concerned that it continued to criminalize sex workers or prostituted persons, depending on which language you prefer.

You, as counsel for the organization, if I understand what you've said so far, are completely okay with section 213. How do you explain the inconsistency in your position before us with that of your client?

**Ms. Georgiale Lang:** Well, it's not an inconsistency. I'm appearing as an individual who has an interest in this subject matter. My retainer with the Evangelical Fellowship ended when Madam Justice McLachlin handed down her reasons in December 2013. They're not my current client; they're a former client.

**Mr. Sean Casey:** Okay. When you appeared before the Supreme Court of Canada, I think what you said to Madam Boivin was that you emphasized section 1 in your presentation.

**Ms. Georgiale Lang:** That's correct.

**Mr. Sean Casey:** All nine of the judges disagreed.

**Ms. Georgiale Lang:** That's correct.

**Mr. Sean Casey:** Is the reason for your emphasizing section 1 in your presentation to the Supreme Court of Canada was because you conceded that there was a violation of section 7?

**Ms. Georgiale Lang:** Well, no, I didn't concede that there was a violation, but my submission was that if the learned justices of the Supreme Court believed there was a violation, I believed it should be saved as a reasonable limitation in a free and democratic society. That was my submission.

Furthermore—

**Mr. Sean Casey:** You are the first witness to appear before us trained in the law with the viewpoint that you've expressed, absent those who are the Minister of Justice or who work for the Minister of Justice. In fact, yesterday we were given a letter signed by 220 of your colleagues at the Canadian Bar, addressed to the Prime Minister of Canada, that expressed a different view.

Are you a lone wolf, or is there a community of lawyers who would be able to sign a letter that shares your view?

**Ms. Georgiale Lang:** Yes: my position is not a popular one, but I think there are many lawyers that I know of personally who would sign such a letter. I'm not sure that any group has been formed with the purpose of supporting the prostitution law, but I know from personal experience, in speaking to my colleagues, that there are many who agree that this bill is the right way to go.

Like I said, I know I'm not the most popular person amongst the CBA these days.

**Mr. Sean Casey:** It would be nice to meet some of your colleagues someday.

Ms. Miller, you indicated that you have some concerns with section 213. That's the section that has the potential of continuing to criminalize sex workers.

What we've heard today in testimony is that oftentimes the police use this section not to charge a sex worker but to use it as a threat to be able to separate them from pimps, to be able to try to extricate them. So it's a tool they apparently use to hang over the head of the sex worker to get them into a conversation. Does that make it okay?

• (1420)

**Ms. Michelle Miller:** I'm not sure what you mean by using it as a "threat" to get them away from a pimp. Can you clarify what you're saying?

**Mr. Sean Casey:** Sure. You arrest a sex worker and say to them, "The reason for your arrest is that I am considering charging you

under section 213 for soliciting for the purpose, so come with me." Then you spend a couple of hours in conversation with that person. You don't charge them, but the possibility of a charge is hanging over their head in order to get them into a conversation. Does that make it okay?

**Ms. Michelle Miller:** No. I'm not in support of that.

**Mr. Sean Casey:** Thank you.

Ms. Perrier, thank you very much for your testimony. It was particularly powerful. If you are not comfortable answering the question that I'm about to ask, just tell me and I'll move on.

You indicated that you spent some time in the sex trade and you have successfully exited. Do you have a criminal record?

**Ms. Bridget Perrier:** I did have a criminal record, and I was able to get a pardon. But I did have a lengthy record.

**Mr. Sean Casey:** Can you talk about the effect that record had on your ability to exit?

**Ms. Bridget Perrier:** You know what? I exited with a Canada-wide warrant, so it didn't have any effect.

Actually, you know, I look at it as a blessing. I look at it as things happen for a reason, and it saved my life.

**Mr. Sean Casey:** I know that you've been here all week. You've heard the testimony this morning from Ms. Ekberg. You've heard testimony from NWAC. There have been some questions posed on behalf of the Chiefs of Ontario with respect to concerns over the lack of recognition of the unique vulnerability of our first nations with respect to prostitution. Ms. Ekberg's suggestion was that there should be something in the preamble.

Do you have an opinion with respect to whether or not Bill C-36 adequately takes into account that unique vulnerability?

**Ms. Bridget Perrier:** I think Bill C-36 will protect aboriginal women a little bit more. I think there is a dialogue that's opened, and with the amount of missing and murdered aboriginal women, this bill will recognize the need to protect them.

**Mr. Sean Casey:** Thank you.

Mr. Atchison, I have not yet seen any written briefs that you may have submitted, although we have tremendous respect for evidence-based decision-making and, obviously, you share that respect.

First of all, have you submitted a brief that we're going to be able to consider?

**Mr. Chris Atchison:** I have submitted it as part of a team brief. I will be submitting a second brief tomorrow.

**Mr. Sean Casey:** Could you comment on the absence of any measures in Bill C-36 with respect to research and data collection and/or any allocation specifically within the \$20 million dedicated to research and data collection, please.

**Mr. Chris Atchison:** Yes. It's vitally important that we have an ongoing understanding of this industry if we are going to regulate it and provide services to people involved in this industry. So it's vitally important that however we go about regulating this industry, we keep those doors of communication, those channels of communication, open. I don't see that Bill C-36 is doing that. In fact, I think the restrictions on communications and advertising will make it even less possible to access an already difficult population, and an even more difficult population, being the people who purchase sexual services, will become almost impossible now. Sex workers will become more difficult and clients will become impossible.

**The Chair:** Thank you very much.

Thank you for those questions and answers.

Our next questioner from the Conservative Party is Mrs. Smith.

• (1425)

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Thank you, Mr. Wallace.

Bridget, we have known each other for a very long time and you are one of Canada's heroes for what you've done. You can't begin to describe all that you have walked through. If you listen to all of this and you listen to the politicians and everybody has their reasons for saying whatever.... When you listen to the sex workers who have never seen a young child, ever, in the sex trade, and when you hear researchers say they've just dealt with adults with consensual sex, what I'm concerned about.... And I'm thinking back to 2004 when I first became an MP and the country was in denial that there was human trafficking, let alone children in human trafficking. Can you make some comment on that because you know? Could you link that to organized crime?

**Ms. Bridget Perrier:** The men and women who exploited me were involved in organized crime. It comes hand in hand.

I think it's a boldfaced lie for someone who is involved in prostitution to sit up here and say they've never encountered a child. In my time working across Canada, do you know how many times I used to drag little girls home to their mothers, because I knew they were getting set up for what I had already endured? I never wanted any little girl to experience pain like that. But it's a boldfaced lie for people to say they've never seen a child involved in prostitution.

Actually it mortifies me when I hear the term "child sex worker" and it devalues that child. That is an abused and exploited child. When is it differentiated, when a \$100 bill is thrown in that child's hands whether it's a little boy or a little girl?

**Mrs. Joy Smith:** What strikes me now in 2014 is that finally the voices of the survivors are coming forward. As a survivor and a person who has gone out and rescued yourself and a lot of young children and supported them, as I know you have, and also, on the Willie Pickton file—and you know that I worked with a joint victim of Willie Pickton's murders—what is something you want to say to the government right now because you're here in support of Bill C-36? How can we better get the voice of more of the survivors, the people who have been there, to come and speak out like you have so eloquently for so long?

**Ms. Bridget Perrier:** I think we need to just have this dialogue. I think that with all of what's going on with the legislation and that it will open that dialogue. Every day I open up my email and there are two more women or girls, or mother of a girl, or whatever, who ask me to help them. I don't know, I really—

**Mrs. Joy Smith:** Bridget, can I ask you another question because I know I'll run out of time?

Tell me about the johns. We've heard all week that the nice guys, the johns, have their needs. I can understand that, but, by the same token, the picture is that this is normal behaviour and that these johns are nice people who have a need that they need for a little while and that they're very respectful in every way. Can you answer that in any way, shape, or form from your experience?

**Ms. Bridget Perrier:** We've been working alongside the Invisible Men Project, and every day we get an e-mail about quotes from these johns taken from a website that rates prostitutes.

This one reminds me of my daughter's mother: "I chose her thinking mileage may be better if she's a little desperate for money. Totally not worth it. I wasn't even going to tip her but she hung around the room, while I showered, telling me how it was so slow today, etc. On an unrelated note, my wife leaves next week to visit relatives so the marathon tour begins. Normally, I can only get out during the day, while working, but this means strip joints at night and SW cruising. I'll post my results".

They are hunters.

**Mrs. Joy Smith:** Thank you.

I have one question for Michelle Miller.

Can you tell the committee how addressing the demand will help all the women that you work with? Does Bill C-36 drive women underground?

• (1430)

**Ms. Michelle Miller:** I'm glad you asked me that. I do think that Bill C-36 would address demand. It helps the women by decreasing the market. It's using a really crass economic term, which is one way of viewing prostitution. If there was no market then women would not have to be recruited to be fed into that market. Their vulnerability is taken advantage of for that reason.

I don't think it would be driven underground for the simple reason that the johns still have to be able to find the women. So it's not going to be underground. I think this notion that women will be less safe when they're hidden away somewhere is very interesting. I'm not sure where that underground is. Is it supposed to be a bunker somewhere, or a cellar somewhere? We hear this term "underground", but there are going to be places where johns can find them. I think it's interesting that sex industry industrialists are asking for women to be indoors where it is safer, but they are afraid they would be pushed out of sight into underground places. There seems to be this really duplicitous sense of what would keep women safe.

What we know from working with women is that the harm comes from the johns no matter what the location is. There is no way to keep them safe.

**Mrs. Joy Smith:** Thank you, Michelle.

I have a question for Mr. Atchison. You seem to have a really good respect for research, and thank you for that. As Mr. Casey says, we always want evidence-based research. You deal only with what you call “consensual” adults, correct?

**Mr. Chris Atchison:** Adult, consensual, sexual exchanges.

**Mrs. Joy Smith:** Have you ever thought about expanding your research to the survivors of human trafficking in this country? We've got lots of them.

**Mr. Chris Atchison:** I've thought about that but from all the information I've ever seen that's choosing to study a fraction of an industry at the expense of the majority of the industry.

**Mrs. Joy Smith:** So you think that the majority are adult sex buyers and workers consensually doing what they want to do? Are you saying you think that is the majority in your research?

**Mr. Chris Atchison:** I use the term “consent” very guardedly because the whole notion of consent, in and of itself, has to be discussed, understood, and defined more adequately. I do believe, purely on the basis of the research that I've done, that the vast majority of, particularly, the off-street sex industry is consensual between adults.

**The Chair:** That's your time. Thank you for those questions and answers.

Our next questioner from the New Democratic Party is Madam Péclet.

[*Translation*]

**Ms. Ève Péclet (La Pointe-de-l'Île, NDP):** Thank you, Mr. Chair.

My question is for Ms. Dussault.

Has your experience taught you that criminalizing clients will actually lead to less demand?

There are surely studies showing the opposite to be true or corroborating other people's positions. But I would like you to just speak from your own experience. Will it reduce demand, yes or no?

[*English*]

**Ms. Elizabeth Dussault:** Honestly, I have not done research on that so I'm not 100% sure. From my experiences in Australia versus Canada, it's about equal.

Each person is an individual, so I can't speak to when they'll have needs or what not, but it definitely will make everybody safer. I've experienced that first-hand. Being in Australia, everything was quite lovely. The clients were awesome. I did not come into contact with anybody who was underage or trafficked. Immigration was very pointed about that.

As for the clients, it was roughly about the same numbers in my books, from what I've experienced.

[*Translation*]

**Ms. Ève Péclet:** Bridget, if you don't mind, I'd like to call you by your first name.

I want to tell you how much I admire you. Coming here to tell your story is never easy. And I'd just like to thank you for sharing

your experience with us. I'm sorry you had to go through what you did and that there are victims of human trafficking who need your help.

• (1435)

[*English*]

It's really commendable, so thank you very much for everything you do.

[*Translation*]

My question goes beyond Bill C-36.

Let's say that Bill C-36 is passed tomorrow as it currently stands. It is clear that provision 213 criminalizes sex workers. Would you be willing to accept the criminalization of women if the bill were passed as is?

[*English*]

**Ms. Bridget Perrier:** I would, and I'll tell you why: when my 15-year-old gets accosted standing outside at a bus stop, I will know I did the right thing.

My children are more at risk of being brought into prostitution due to race and having a mom who was exploited; they're more likely. I value my children. They're my life. I've already lost a child to prostitution, and I'm not going to lose any more.

[*Translation*]

**Ms. Ève Péclet:** I'm sorry to hear that.

It's still helpful to look at the big picture. Many of the articles I've read have focused on whether the government has been doing enough all these years to achieve gender equality, particularly as regards more funding for first nations communities.

If the bill were passed tomorrow, what would happen to the female drug addict who was on the street corner, as Ms. Miller talked about, for instance? What would happen in her case?

The minister for Manitoba said that \$20 million over 5 years amounted to roughly \$200,000 for his province per year. He said he is already spending \$8 million to help young addicted women who are on the streets.

What will happen to those young women? What is needed to help them in their current situations so they don't end up in the hands of procurers and pimps?

[*English*]

**Ms. Bridget Perrier:** There's a solution for that. I work on a zero operating budget for Sextrade101. I make my money by public speaking. I have 400 girls who are clients across Canada who I work with. We have not gotten federal funding. We do everything within our speaking...and I have another job where I'm able to put in.

We haven't worked on our operating budget, and we have a 1% recidivism rate for girls who exit.

**Ms. Ève Péclet:** So you don't need—



**Ms. Bridget Perrier:** No, we do need funding, but we do our best with what little we have. You know, \$20 million, that's nothing—

**Ms. Ève Pécelet:** For five years.

**Ms. Bridget Perrier:** —for five years. Hopefully with the johns and the john schools we'll see revenue from it. We need to look at this. When these johns are fined, the fines should be geared to income. If they're making \$100,000 a year, they should be paying a \$10,000 fine, with that money going into direct services for prostituted women.

**Ms. Ève Pécelet:** I still have time? Okay, great.

[*Translation*]

I'd like to ask Ms. Miller the same question.

You talked about a car that was cruising around and picked up that woman. If Bill C-36 is passed tomorrow, what would happen to that young woman? How could she be helped?

Provisions have been in place for years and they haven't helped. So what about that aspect?

The question we need to ask ourselves today is this. What do we need to do to wipe out situations of inequality and poverty, which are the root cause of the problem?

[*English*]

**Ms. Michelle Miller:** Yes. You are asking two questions; one on prevention and one on what she needs now.

On prevention, I would support guaranteed livable income, detox beds, access to treatment, job training and education, and affordable housing. Certainly in my city, I know those are incredibly important things.

As far as what that woman would need now, she needs some of those same things. She needs access to a way to exit. She needs immediate housing. She needs access to detox beds. She needs support. She needs job retaining.

I would also like to ask, how does this bill affect her? I'd like to talk about a generation later and talk about, potentially, her daughter. I think it would affect her daughter in that with Bill C-36, we're sending a clear message and a clear social norm that women are not for sale and that it's not okay to buy women.

For instance, right now in Sweden, where a similar law has been in place for 10 years, there are 10-year-old children who don't know the normalization of buying and selling women's bodies, so I think that her daughter would be less vulnerable and men would be less likely to be buying her.

• (1440)

**The Chair:** Thank you very much. Thank you for those questions and answers.

Our next questioner from the Conservative Party is Mr. Dechert.

**Mr. Bob Dechert (Mississauga—Erindale, CPC):** Thank you, Mr. Chair, and thank you to each of our guests.

Ms. Perrier, we've met before. It's very good to see you. I hope you won't mind if I call you Bridget.

I want to join with my colleagues in thanking you for sharing your story and the story of your daughter, Angel. I personally was very moved, and I'm pretty sure everyone who was listening to you today was equally moved.

I've had the honour to meet a lot of war veterans in my life, but I think you might be the bravest person I've ever met. We'll maybe have an opportunity later for that applause that's so deserved.

If I could award you a medal of valour I would, but one thing I do know is that you're saving lives today. I want to thank you for being here and for speaking out about the terrible things that happened to you, and to your daughter, and other people you know. Thank you for the work you're doing every day to save the lives of others.

I'd like to ask Ms. Lang some questions.

Ms. Lang, you mentioned in your opening statement the penultimate comments made by Chief Justice McLachlin in her decision, which I think are worth reading again because they are very important. She said:

Concluding that each of the challenged provisions violates the Charter does not mean that Parliament is precluded from imposing limits on where and how prostitution may be conducted, as long as it does so in a way that does not infringe the constitutional rights of prostitutes.

She then went on to say:

The regulation of prostitution is a complex and delicate matter. It will be for Parliament

—that's all of us and the people we serve with every day in the House of Commons and in the Senate—

should it choose to do so, to devise a new approach, reflecting different elements of the existing regime. Considering all the interests at stake, the declaration of invalidity should be suspended for one year.

She threw it back in our lap. She could have said that the provisions are struck down, as of today, and we have wide open, unfettered, unregulated legalization of prostitution in Canada. She didn't. She passed it back to us. She said Parliament has a role to play.

There are some who would abdicate that role, but I think it's incumbent upon us, and I think the Chief Justice has asked us to read the decision and to look at all the issues surrounding prostitution, hear the stories of Bridget Perrier and so many others who have come before us, and then craft a response. She's talking about the jurisdiction of the federal government of Canada.

She knows very well the division of powers under the Constitution of Canada. She's not talking about zoning and business regulation at the local level. She's not talking about employment or occupation and health safety regulation. She's talking about those things that are in the purview of the Parliament of Canada—criminal law; banking insurance law; railway law; and certain other areas obviously; national defence; taxation. But within that purview, of the tools we parliamentarians have to regulate the way prostitution is carried on, the primary one has to be the Criminal Code.

What do you think she was referring to? Do you think she was asking us to re-examine the Criminal Code and find a way of making it work in a way that protects the Charter rights of the prostitutes, and do you believe we have done so in Bill C-36?

• (1445)

**Ms. Georgiale Lang:** She looked at the law, and she recognized that the objects in the Criminal Code on prostitution were not prostitution laws; they were nuisance laws. So when the court examined that, they then weighed the benefit of having a nuisance law against the safety issues that we recognize are inherent in prostitution.

What she said in the statement, that Parliament is not precluded from imposing limits, is certainly a fundamental principle. It is the federal Parliament that makes the criminal law in Canada. It is then the court that can determine whether that law is constitutional.

With Bill C-36, I believe the honourable justice minister and his committee have addressed the issues that were raised by Madam Justice McLachlin, and her colleagues in the Supreme Court of Canada, and they have done that in a very effective way.

There are numerous law professors across Canada who have examined whether this new law will pass constitutional muster, and there are many who agree that it will. There is no doubt that it will be challenged, but I think the justice minister has done an exemplary job of crafting a law that speaks to the interests of the parties involved in prostitution. It decriminalizes it for the women, unless of course they are selling sex around children. It speaks to the buyers of sex, who are the exploiters. The preamble to this bill clearly says that's what we're after, the harm, and that we, as Parliament, have the right to make that determination and make that law.

This bill is a good bill. It's addressing what the justices raised in the Supreme Court of Canada. I believe it speaks to the real issue, which is the exploitation of women and the commodification and the commercialization of women's bodies, which is a frontal assault on human dignity and a breach of human rights.

**Mr. Bob Dechert:** If Parliament were to do nothing, as Ms. Scott and Ms. Lebovitch urged us earlier today.... They were two of the litigants in the Bedford case. They said, "Just let it fall. Don't do anything. Let the provisions that were struck down by the court fall away as the court has determined to do so".

What would the regulation of prostitution look like in Canada, in your view, if Parliament were to do nothing?

**Ms. Georgiale Lang:** I think the biggest concern about the legalization of prostitution is human trafficking. In every jurisdiction where they have legalized prostitution, the explosion of human trafficking is well documented.

For example, when Germany legalized prostitution, there was an influx of women from South America, and then later, when the Berlin Wall fell, all of these Third World women living in eastern bloc countries were brought into Germany.

The same thing happened in Australia. In Australia, there was an explosion in human trafficking. Apparently there was a large influx of Chinese prostitutes because many of the business people, the

procurers of sex—these pimps, now businessmen because it's all legal in Australia—brought in women from all different countries.

That is the biggest fear. Human trafficking is insidious, and I think it's recognized, and well recognized in Canada, that it is unlawful.

**Mr. Bob Dechert:** Thank you.

I have one final comment. Mr. Casey and others have raised the point, and you talked about it earlier, that there was a letter that was received from 220 or so lawyers who take a different view.

I am a lawyer who agrees with you. I was a member of a law firm with over 900 lawyers. I practised in the city of Toronto, where there are over 14,000 lawyers, so 200 doesn't seem like that big of a number to me. I think we could find an equal number who support our view.

Thank you.

**The Chair:** Thank you for those comments.

Thank you for those questions and answers.

Our next questioner, from the New Democratic Party, is Mr. Jacob.

[*Translation*]

**Mr. Pierre Jacob (Brome—Missisquoi, NDP):** Thank you, Mr. Chair.

I want to thank the witnesses for being with us this afternoon.

My first question is for Mr. Atchison.

You're a pragmatic research associate. You said you didn't have a moral position on the sex industry and that you were relying on empirical evidence. You also said investments were needed to stop violence and victimization.

The government is investing \$4 million a year over 5 years, for a total of \$20 million for the entire country. Does that strike you as a serious investment in terms of combatting violence against women and their victimization?

• (1450)

[*English*]

**Mr. Chris Atchison:** No, I absolutely do not, particularly when we talk about....

If we take seriously the goal of ending demand and changing attitudes and behaviours around the purchase of sexual services, I don't see how that's going to happen with \$20 million. If we are going to do this—and I don't think we should—I don't see any mention of widespread education and outreach programs to the people with whom we actually want to curb the demand.

Are we expecting to see that the pure application of sanction is going to end demand? Part of that money will have to go to education, public education, i.e., general deterrents—and none of that is going to go—in addition to putting money to the well-needed funding of the existing organizations that provide vital support services.

So, no.

[*Translation*]

**Mr. Pierre Jacob:** Thank you kindly, Mr. Atchison.

My second question is for Ms. Lang.

You're a lawyer and, in your opening remarks, you stressed the importance of respect for human dignity.

If the federal government was more proactive when it came to promoting gender equality, do you think it would make a difference in terms of preventing the exploitation of women and violence against them?

[*English*]

**Ms. Georgiale Lang:** I believe that men using women for sexual purposes is inherently violent and an absolute affront to human dignity. On your question as to whether there are provisions to provide equality between men and women in Canada, that simply is a separate issue. There can't be equality between prostitutes and johns because of the very nature of the services being rendered. So I say, no, that's not going to change what we're grappling with.

[*Translation*]

**Mr. Pierre Jacob:** Thank you, Ms. Lang.

My third question is for Ms. Dussault.

In your presentation, you talked about New Zealand's experience. I'd like you to elaborate on that.

[*English*]

**Ms. Elizabeth Dussault:** I'm sorry, but I haven't actually been to New Zealand. I was in Australia.

What differences do you speak of? I could ramble for hours about it.

[*Translation*]

**Mr. Pierre Jacob:** I have another question for you.

How helpful would affordable housing and poverty reduction measures be with respect to helping sex workers exit prostitution?

[*English*]

**Ms. Elizabeth Dussault:** That's not my area of expertise. I would think that affordable housing and whatnot would be good for all society, not just for sex workers.

Again, speaking for women who are human trafficked or abused, I don't believe that's what this bill is in regard to. I'm very sorry for Ms. Perrier's experiences, and I would be very happy to stand behind her, or beside her for that matter, and work with her to stop human trafficking and underage prostitution.

But I choose to be a sex worker. I've had a very different experience than she has had, so I don't have that education to speak to something that she's gone through.

[*Translation*]

**Mr. Pierre Jacob:** Very well.

You can speak to my next question, time permitting.

You said you were against Bill C-36 because it would result in more neglect and violence for sex workers and give rise to alienation and inequality, among other things.

I would like you and your colleagues to tell us how Bill C-36 would affect you if it came into force tomorrow morning.

• (1455)

[*English*]

**Ms. Elizabeth Dussault:** If it were passed tomorrow morning, I believe that I and all of the very—whether educated or uneducated—brilliant women I work with, and have worked with in the past, would definitely be at a huge disadvantage.

We would not be able to advertise as clearly as we need to, to ensure our safety. We would not be able to work together in the manner that we do and that I want to see increased. I believe we would very much be forced more out into the streets, into more dangerous areas—not underground, as someone here said, but definitely we would be struggling to maintain our balance and our safety, which we've tried to get with the current laws.

[*Translation*]

**Mr. Pierre Jacob:** Thank you, Mr. Chair.

[*English*]

**The Chair:** Thank you, Monsieur Jacob.

The next question goes to the Conservative Party, and I'm taking it.

Professor, just focusing in on this from strictly a social science perspective, I have some questions about your methodologies in the study. You presented some overview today, and I think you're presenting more.

If I understood you correctly, you have surveyed or interviewed about 3,000 buyers, and that's really where your focus has been. Is that correct?

**Mr. Chris Atchison:** It's the focus I've spoken of today. I have also participated in, as either a co-investigator or as an assistant, at least another nine projects around the sex industry in general.

**The Chair:** Since buyers are part of this change in Bill C-36, that's what I want to focus on. You say they were interviewed or surveyed. What's the breakdown? How many were interviewed in person, and how many were surveyed?

**Mr. Chris Atchison:** I've done hundreds of hours of ethnographic observation in various virtual and physical spaces over the course of time.

**The Chair:** That doesn't mean anything to me. How many men—I'll say men, although there might be women in there too—did you survey, did you actually send a piece of paper saying, “I understand you're a john, and we're trying to understand why you're buying sex from these individuals”? How many did you survey, and how many did you have in front of you interviewing?

**Mr. Chris Atchison:** Right. In the two projects that I referred to today, there were 50 in-depth interviews and a total of 2,004 surveys.

**The Chair:** Just from a social science perspective, how do you know in a survey whether or not the person is telling you the truth, or the whole truth, and how do you do it in an interview? What are your methods such that as a social scientist you can guarantee this committee that those people are likely telling the truth?

**Mr. Chris Atchison:** There's no way that anybody studying any portion of the sex industry can guarantee the truth of any account, whether it be a sex worker, sex buyer, manager, owner, operator, policeman, lawyer, or politician. What we can do is construct our instruments in such a way that we phrase questions that are not leading and that do not result in bias, that do not result in response bias, in social desirability bias. This is much easier in self-administered surveys, which can provide a degree of privacy and confidentiality than in person.

With regard to the in-person interviews, the reason I do phenomenological interviews, often lasting seven or eight hours in length, is that through the length of conversation, some of those walls come down.

**The Chair:** Come down. Sure.

Is there a control group, as in any other scientific method, that you've put against it?

**Mr. Chris Atchison:** We've done that in the past. In my first study, in 1996, we compared people who purchased sex with members of the general population, males and females. We found very few statistically significant differences.

Subsequently, I have focused specifically on getting at individuals in the sex industry so that we can compare among and between buyers, sellers, intimate partners, and so on and so forth.

• (1500)

**The Chair:** As I recall—you can tell me if I'm wrong, because I may have missed it—I think when you were asked a question about violence, you had different degrees of violence in your survey. There's physical violence, and obviously there are laws against that, and then there are others, whether it's verbal and so on.

Did you tell the committee that something like 25% identified that there's physical violence? Did I hear that correctly?

**Mr. Chris Atchison:** No.

**The Chair:** What number did you have, then?

**Mr. Chris Atchison:** In terms of their instigation of physical violence, less than 5% have presented physical violence in varying forms. We measure violence in about 20 or 25 different ways, reflecting a continuum, everything from just arguments and verbal discussions all the way up to violent abuse—assault, robbery, and sexual assault.

**The Chair:** Maybe you just can't do this, but for somebody to tell me that they treat these people with respect and I'm doing it for self-gratification, or whatever the issue.... For you to study that, though, you don't follow up with the actual person they bought the service

from to find out if that person was telling you the truth or if they were violent—whether physically or verbally or any other way—if they refused to pay, all those other things.

There's no way for you to know whether what they're saying as buyers of sexual services is actually what they do when they're behind closed doors in a consensual adult situation. Does your study show that?

**Mr. Chris Atchison:** Yes. Our most recent study is a 360-degree view of the sex industry, where we've looked at sex workers, sex buyers, the intimate partners of sex workers, managers, owners, operators, and regulators—

**The Chair:** Are they matched, where the buyer tells you who they're buying from and you can interview both of them?

**Mr. Chris Atchison:** At this juncture, especially under the current legal regime, it would be impossible in Canada.

**The Chair:** Okay.

Finally, because a lot of the discussion is about the treatment of the opposite sex, do most of your surveys ask whether they're in a relationship, whether it's marriage or boyfriend/girlfriend? Do you find out if they have other relationships other than with those whom they're buying sex from? Do they give you permission to talk to them about how they are treated?

**Mr. Chris Atchison:** Absolutely. I look at all the range of demographics, including their non-commercial relationships and aspects of their gender and sexuality. No, we don't match up with people who do have non-commercial partners. People who have non-commercial partners are represented in a variety of different ways. There are those who are married, there are those who are common law, have regular sexual partners, and so on and so forth. At this juncture, again, also due to the current legal regime, we don't—can't—match that up.

A lot of the times what we have to do in order to elicit participation and guarantee the confidentiality and privacy that we do, in order to get the participants, we have to respect their identities and say we can't reveal these to anybody.

**The Chair:** Thank you very much.

**An hon. member:** That sounds like the one from the government.

**The Chair:** Thank you very much.

That was mine, I hate to tell you.

Thank you, witnesses, for coming tonight and being part of this review of Bill C-36. We have another panel today, and then three panels tomorrow, and then we'll be doing clause by clause next week.

So thank you very much.

The meeting is adjourned.







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